

**CASE CLOSED**

**SCHEPISI & MCLAUGHLIN, P.A.**

Gregory M. Dexter, Esq.

473 SYLVAN AVENUE

P.O. BOX 1313

ENGLEWOOD CLIFFS, NJ 07632

(201) 569-9898

Attorneys for M & G Auto Parts, Inc.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

M & G AUTO PARTS, INC., individually  
and on behalf of all others similarly situated,

Plaintiff,

v.

KAHALA CORP., BLIMPIE  
INTERNATIONAL, INC. and BLIMPIE  
SUBS, INC. a/k/a NEWARK AVENUE  
SUBS, INC. a/k/a BLIMPIE CLUCKU  
PIZZA.

Defendants.

Civil Action No: 15-cv-01860  
MCA-JBC

**NOTICE OF VOLUNTARY  
DISMISSAL PURSUANT TO  
FED R. CIV. P. 41(a)(1)(A)(i)**

**THIS MATTER** being submitted to the Court by Schepisi & McLaughlin,  
P.A., attorneys for M & G Auto Parts, Inc.;

**WHEREAS**, with no party admitting fault in this action, and the parties'  
mutually desiring to resolve this matter at this juncture, this matter is settled on a  
non-class basis on behalf of the Lead Plaintiff M & G Auto Parts, Inc. (the "Lead

Plaintiff”) and the Complaint is voluntarily dismissed with prejudice as to the Lead Plaintiff and without costs against any party;

**WHEREAS**, Defendants have neither answered nor moved for summary judgment and no class certification motion has been filed;

**WHEREAS**, this dismissal is without prejudice to any putative class member except the Lead Plaintiff because the class was never certified pursuant to Federal Rule of Civil Procedure 23(e);

**WHEREAS**, notice of this settlement is not required because it binds only the Lead Plaintiff and not any other putative class member;

**PLEASE TAKE NOTICE**, that this matter is voluntarily dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

Dated: July 10, 2015

Respectfully submitted,

SCHEPISI & McLAUGHLIN, P.A.

/s Gregory M. Dexter  
Gregory M. Dexter  
Schepisi & McLaughlin, P.A.  
473 Sylvan Avenue  
Englewood Cliffs, NJ 07632

*Attorneys for Individual and  
Representative Plaintiff M & G Auto  
Parts, Inc.*

July 15-16

SO ORDERED

  
Madeline Cox Arleo, U.S.D.J.